GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Energy Department - Filing of a defamation suit on the Managing Director, Editor, Printer & Publisher, Journalists responsible for publishing the adverse, libellous, scandalous, untruthful, unfounded, per se defamatory, derogatory news in Eenadu Main News Paper on 24.06.2023 on its page as a banner news item with the caption "జగన్+విశ్వేశ్వరరెడ్డి= 92 వేల కోట్లు"– Sanction of State Government to launch criminal prosecution for defamation under Section 199(2) of Cr.P.C. – Accorded - Orders – Issued.

ENERGY (POWER-II) DEPARTMENT

G.O.Rt.No.88 **Dated:16.08.2023**

Read the following:-

1. News Item published in Eenadu Main News Paper dated:24.06.2023.
2. G.O.Rt.No.938, GA(Poll.D) Department, dated:20.02.2007.
3. G.O.Rt.No.2430, GA (I&PR) Department, dated:30.10.2019.
4. Notice dated: 05.07.2023 given by the State Public Prosecutor, High Court of Andhra Pradesh, Amaravati.

ORDER:-

In the reference 1st read above, defamatory news item has been published in the Eenadu News Paper with the caption "జగన్+విశ్వేశ్వరరెడ్డి= 92 వేల కోట్లు" in headlines published on 24.06.2023, which is libelous, scandalous, untruthful, unfounded, *per se* defamatory, derogatory news. The news article published on 24-06-2023 and the contents read as a whole along with the caricature depicting the Hon'ble Chief Minister doling tenders are libellous, scandalous, untruthful, unfounded, per se defamatory, derogatory news item was published to promote selfish ends of Eenadu by distorting the true facts about the incident and thereby caused defamation to the image of the Department and Government.

2. Further, the newspaper contains several false allegations and statements and is based on a wholly erroneous understanding and interpretation of the facts relating to the incident, which has caused enormous prejudice to the Government and damaged the reputation and integrity in the eyes of public. After considering the above facts, it is evident that a deliberate act to tarnish the image of the Government by publishing false news article which read as whole is *per se* defamatory in nature, and the same was published without factually ascertaining the truth before publishing the same.

3. After having examined the matter with reference to above mentioned subject matter and with reference to the orders issued in G.O. 2nd and 3rd read above, wherein powers have been delegated to the Secretaries of respective department to issue rejoinders, file complaints and lodge appropriate cases, under sub section (4) of section 199 Cr.P.C., if need be, through Public Prosecutor against defamatory news items published/telecast/ posted in print/electronic/social media pertaining to their respective Departments after following due procedure, Legal action is being taken against the concerned .

4. Accordingly, the State Public Prosecutor, High Court of AP, Guntur District was authorised to issue Legal Notice against the concerned. The State Public Prosecutor has issued a Notice to the parties therein vide reference 4th read above.

5. After careful examination of the matter and all the facts and circumstances of the case, the said news item containing the allegations under the above said caption against the Energy department whose reputation is paramount, and the said news article is intended to harm and besmirch the fair name and reputation of the Andhra Pradesh Energy Department and the concerned Government Officials. It is just and necessary to launch necessary criminal prosecution against the Managing Director of Eenadu Telugu Daily News Paper and the concerned Editor and other persons responsible for selection of the news article and publishing the same in the above referred Newspaper.

6. In exercise of the powers conferred under section 199(4) of Cr.P.C, 1973, Sanction is hereby accorded to launch criminal prosecution for defamation u/s. 199(2) against the Managing Director, Editor, Printer & Publisher, Journalists responsible for selection and contribution of the same, in view of the libellous, scandalous, untruthful, unfounded, per se defamatory, derogatory nature of the news item published in Eenadu Telugu Daily News Paper dated:24-06-2023 on its front page as a banner news item with the caption "జగన్+విశ్వేశ్వరరెడ్డి= 92 వేల కోట్లు".

7. The State Public Prosecutor, High Court of Andhra Pradesh shall take immediate further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.VIJAYANAND
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The State Public Prosecutor, High Court of Andhra Pradesh, Amaravati.
Copy to:
The Law Department.
The OSD to Minister for Energy, FES&T, Mines & Geology.
The PS to Chief Secretary to Government.
The PS to Spl.CS to Govt., Energy dept.
SF/SC.

//FORWARDED::BY ORDER//

K. Vau.
SECTION OFFICER